

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:17-CV-1113

NORTH CAROLINA DEMOCRATIC
PARTY; CUMBERLAND COUNTY
DEMOCRATIC PARTY; DURHAM
COUNTY DEMOCRATIC PARTY;
FORSYTH COUNTY DEMOCRATIC
PARTY; GUILFORD COUNTY
DEMOCRATIC PARTY; MECKLENBURG
COUNTY DEMOCRATIC PARTY;
ORANGE COUNTY DEMOCRATIC
PARTY; and WAKE COUNTY
DEMOCRATIC PARTY,

Plaintiffs,

v.

PHILLIP E. BERGER, in his official capacity
as PRESIDENT PRO TEMPORE OF THE
NORTH CAROLINA SENATE; TIMOTHY
K. MOORE, in his official capacity as
SPEAKER OF THE NORTH CAROLINA
HOUSE OF REPRESENTATIVES; THE
STATE OF NORTH CAROLINA; THE
NORTH CAROLINA BIPARTISAN STATE
BOARD OF ELECTIONS AND ETHICS
ENFORCEMENT; and KIMBERLY
STRACH, in her official capacity as
EXECUTIVE DIRECTOR OF THE NORTH
CAROLINA BIPARTISAN STATE BOARD
OF ELECTIONS AND ETHICS
ENFORCEMENT,

Defendants.

**NOTICE OF CONSENT TO
MOTION FOR STAY OR
MODIFICATION OF
PRELIMINARY INJUNCTION
PENDING APPEAL**

The State of North Carolina, the North Carolina Bipartisan State Board of Elections and Ethics Enforcement, and Kimberly Strach, in her official capacity as Executive Director of the North Carolina Bipartisan State Board of Elections and Ethics Enforcement, hereby consent to the motion for stay or modification of preliminary injunction pending appeal (ECF No. 48) that President Pro Tempore Berger and Speaker Moore filed on February 2, 2018.

By consenting to the stay motion, the State, Ms. Strach, and the Election Board do not necessarily adopt the arguments in the motion. The State, Ms. Strach, and the Election Board believe that a prompt resolution of the issues raised in the stay motion would serve the public interest.

This 6th day of February, 2018.

JOSHUA H. STEIN
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Carolina, the North Carolina Bipartisan
State Board of Elections and Ethics
Enforcement, and Kimberly Strach, in
her official capacity as Executive
Director of the North Carolina
Bipartisan State Board of Elections and
Ethics Enforcement*

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing notice with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel and parties of record.

This 6th day of February, 2018.

/s/ James Bernier, Jr.
James Bernier, Jr.
Special Deputy Attorney General